

which is compatible with said tandem free operation mode.” The Examiner asserts that claim 1 is directed to a method of using tandem free operation (hereinafter “TFO”) mode and is anticipated by Yasuda. The Examiner asserts that Yasuda’s method of selecting a common coding mode is similar to changing the first coding mode to a second coding mode when the TFO is impossible with the first coding mode (*see* pages 3-4 of the Office Action). Applicant respectfully disagrees with the Examiner.

Applicant has carefully studied Yasuda’s discussion of a codec bypassed connection control method, which is not similar to switching to the second coding mode when *the TFO is incompatible with the initial coding mode*, as set forth in claim 1. That is, as set forth in claim 1, the initial coding mode is changed to another coding mode *if this (single) initial coding mode* is not compatible with the TFO mode.

In Yasuda, a coding mode is changed to another coding mode if *both coding modes* (of the calling mobile station and of the called mobile station) do not match. Yasuda only discloses a simple codec mismatch resolution, where the coding mode is changed when *two coding modes* do not match. That is, in Yasuda, the notion of compatibility is defined with respect to *two coding modes*. Yasuda, however, fails to teach or suggest this notion of compatibility with respect to *one coding mode*. In other words, Yasuda does not teach or suggest changing an initial coding mode to another coding mode when *this (single) initial coding mode* is not compatible with the TFO mode.

Moreover, the Examiner equates the term “coding mode” to a “TFO mode.” This, however, is technically inaccurate. A “TFO mode” *is not a particular case* of a “coding mode”.

A coding mode is a way of *coding a signal* (voice) for its transmission. TFO mode is a way of *configuring transmission circuits* which avoids certain drawbacks *e.g.*, due to double transcoding in these transmission circuits. In other words, Yasuda's coding mode (a mode for coding a signal) cannot be equated to the TFO mode (a way to configure transmission circuits).

Therefore, "if said first coding mode is not compatible with said tandem free operation mode, changing said first coding mode to a second coding mode which is compatible with said tandem free operation mode," as set forth in claim 1 is not suggested or taught by Yasuda, which lacks changing the initial coding mode to the second coding mode, when this initial single mode is not compatible with TFO and which lacks having this TFO mode in the codec mismatch resolution. For at least these exemplary reasons, Applicant respectfully submits that independent claim 1 is patentably distinguishable from (and is not obvious in view of) Yasuda. Applicant, therefore, respectfully requests the Examiner to withdraw this rejection of independent claim 1.

Independent claims 2, 11, 12, 21, and 22 recite features similar to the features argued above with respect to claim 1. Since claims 2, 11, 12, 21, and 22 contain features that are similar to the features argued above with respect to claim 1, those arguments are respectfully submitted to apply with equal force here. For at least substantially the same reasons, therefore, Applicant respectfully requests the Examiner to withdraw this rejection of independent claims 2, 11, 12, 21, and 22. Also, Applicant respectfully submits that claims 3-10, 13-20, and 23 are patentable at least by virtue of their dependency on claim 2, 12, or 22.

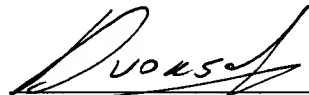
RESPONSE UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/810,216

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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